

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

TREVOR SIMPSON,

Plaintiff,

Case No. 16-cv-11384

v

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

SOUTHERN CARE,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND TRANSFERRING
CASE TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
SOUTH CAROLINA**

Plaintiff Trevor Simpson filed this pro se action against his former employer, Defendant Southern Care, on April 18, 2016. *See* ECF No. 1. Simpson alleges that Defendant Southern Care terminated his employment because of his sexual orientation in violation of Title VII of the Civil Rights Act. *Id.*

On April 28, 2016 Magistrate Judge Patricia T. Morris issued a report recommending that the above-captioned matter be *sua sponte* transferred to the district of South Carolina. ECF No. 10. Judge Morris reasoned that, based on Plaintiff's complaint, Defendant is located in Birmingham, Alabama and the alleged discrimination occurred in South Carolina. She therefore concluded that the Eastern District of Michigan is not a proper venue under 42 U.S.C. § 2000e-5(f)(3), that a *sua sponte* transfer is appropriate under *Carver v. Knox County, Tenn.*, 887 F.2d 1287, 1291 (6th Cir. 1989), and that the district of South Carolina provides a proper and more convenient forum under 28 U.S.C. §§ 1391(b) and 1404(a).

Although Magistrate Judge Morris's report explicitly stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, neither Plaintiff nor Defendant filed any objections. The election not to file objections to the Magistrate Judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 10, is **ADOPTED**.

It is further **ORDERED** that the above-captioned matter is **TRANSFERRED** to the United States District Court for the District of South Carolina.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: May 18, 2016

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 18, 2016.

s/Michael A. Sian
MICHAEL A. SIAN, Case Manager